

Conference Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 257

HOUSE BILL 2580

AN ACT

AMENDING SECTION 15-182, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3004.15, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3014.01; RELATING TO CHARTER SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-182, Arizona Revised Statutes, is amended to read:

15-182. State board for charter schools; membership; terms; compensation; duties

A. The state board for charter schools is established consisting of the following members:

1. The superintendent of public instruction or the superintendent's designee.

2. Six members of the general public, at least two of whom shall reside in a school district where at least sixty per cent of the children who attend school in the district meet the eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free lunches, AND AT LEAST ONE OF WHOM SHALL RESIDE ON AN INDIAN RESERVATION, who are appointed by the governor pursuant to section 38-211.

3. Two members of the business community who are appointed by the governor pursuant to section 38-211.

4. A TEACHER WHO PROVIDES CLASSROOM INSTRUCTION AT A CHARTER SCHOOL AND WHO IS APPOINTED BY THE GOVERNOR PURSUANT TO SECTION 38-211.

5. AN OPERATOR OF A CHARTER SCHOOL WHO IS APPOINTED BY THE GOVERNOR PURSUANT TO SECTION 38-211.

~~4.~~ 6. Three members of the legislature who shall serve as advisory members and who are appointed jointly by the president of the senate and the speaker of the house of representatives.

B. The superintendent of public instruction shall serve a term on the state board for charter schools that runs concurrently with the superintendent's term of office. The members appointed pursuant to subsection A, paragraph ~~4~~ 6 of this section shall serve two year terms on the state board for charter schools that begin and end on the third Monday in January and that run concurrently with their respective terms of office. Members appointed pursuant to subsection A, paragraphs 2, and 3, 4 AND 5 of this section shall serve staggered four year terms that begin and end on the third Monday in January.

C. The state board for charter schools shall annually elect a president and such other officers as it deems necessary from among its membership.

D. Members of the state board for charter schools are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2.

E. The state board for charter schools shall:

1. Exercise general supervision over charter schools sponsored by the board and recommend legislation pertaining to charter schools to the legislature.

1 2. Grant charter status to qualifying applicants for charter schools
2 pursuant to section 15-183.

3 3. Adopt and use an official seal in the authentication of its acts.

4 4. Keep a record of its proceedings.

5 5. Adopt rules for its own government.

6 6. Determine the policy of the board and the work undertaken by it.

7 7. Delegate to the superintendent of public instruction the execution
8 of board policies.

9 8. Prepare a budget for expenditures necessary for the proper
10 maintenance of the board and the accomplishment of its purpose.

11 F. The state board for charter schools may:

12 1. Contract.

13 2. Sue and be sued.

14 Sec. 2. Repeal

15 Section 41-3004.15, Arizona Revised Statutes, is repealed.

16 Sec. 3. Title 41, chapter 27, article 2, Arizona Revised Statutes, is
17 amended by adding section 41-3014.01, to read:

18 41-3014.01. State board for charter schools; termination July
19 1, 2014

20 A. THE STATE BOARD FOR CHARTER SCHOOLS TERMINATES ON JULY 1, 2014.

21 B. SECTION 15-182 IS REPEALED ON JANUARY 1, 2015.

22 Sec. 4. Purpose

23 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,
24 the legislature continues the state board for charter schools, the purpose
25 of which is to:

26 1. Grant charter status to qualifying applications for charter schools
27 that are sponsored by the state board for charter schools.

28 2. Exercise general supervision over charter schools sponsored by the
29 state board for charter schools.

30 3. Recommend proposed legislation pertaining to charter schools to the
31 legislature.

32 Sec. 5. State board for charter schools; appointment of
33 resident of Indian reservation

34 On the next expiration that occurs after the effective date of section
35 1 of this act of the term of office of a member of the general public
36 appointed to the state board for charter schools pursuant to section 15-182,
37 subsection A, paragraph 2, Arizona Revised Statutes, as amended by this act,
38 the governor shall appoint a person who resides on an Indian reservation to
39 the state board for charter schools.

40 Sec. 6. Retroactivity

41 Sections 2 and 3 of this act are effective retroactively to July 1,
42 2004.

APPROVED BY THE GOVERNOR MAY 20, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2004.

Passed the House March 3, 2004,

Passed the Senate April 1, 2004,

by the following vote: 53 Ayes,

by the following vote: 28 Ayes,

7 Nays, 0 Not Voting

0 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Ken Bennett
President of the Senate

Norman L. Frou
Chief Clerk of the House

Charmine Ballington
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

H.B. 2580

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 12, 2004,

by the following vote: 48 Ayes,

8 Nays, 4 Not Voting

Jake Flake
Speaker of the House

Ferman L. Fyoo
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 13, 2004,

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting

Klu Blumeth
President of the Senate

Chamain Belliford
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 14th day of May, 2004,

at 11:07 o'clock a. M.

Vannifer Upbarke
Secretary to the Governor

Approved this 20 day of

May, 2004,

at 2:51 o'clock p. M.

J. N. G.
Governor of Arizona

H.B. 2580

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of May, 2004,

at 4:21 o'clock p. M.

Janice K. Brown
Secretary of State